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2023

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Testimony of Nancy Smith, CEO of GrowSmart Maine

In Support of LD 1934, "Resolve, to Improve the Coordination and Delivery of Planning Grants and Technical Assistance to Communities in Maine"

May 25, 2023

Senator Nangle, Representative Stover and Honorable Members of the Joint Standing Committee on State and Local Government,

My name is Nancy Smith, I live in Ellsworth, and I am the CEO of GrowSmart Maine. We are a statewide non-partisan non-profit organization helping communities navigate change in alignment with smart growth. We advocate for comprehensive policies and funding for smart growth practices and outcomes.

We have partnered with Build Maine to guide a transparent crowd-sourcing of policy proposals that began a year ago, and has drawn together over a hundred people from across Maine and beyond. [Policy Action 2023](#) has resulted in seventeen proposals from eight working groups, all addressing the shared goal, ***“to address barriers to and create incentives for equitable, sustainable growth and development that strengthens downtowns and villages of all sizes while pulling development pressure away from productive and open natural areas. We do so acknowledging that Maine has urban, rural, and suburban settings for which any solution may or may not be a fit and a variety of people who deserve to be welcomed to their communities.”*** This bill aligns with conversations in two working groups, and with the sponsor’s permission, have added LD 1934 to our list of Policy Action 2023 Legislative proposals.

This testimony represents the views of GrowSmart and Build Maine. Both enthusiastically endorse this Resolve as an essential step in ensuring Maine communities can address the immediate housing crisis without undermining work being done to address the climate crisis and not create the next crisis in access to food and farmland.

Maine has recognized the damage done by over a decade of neglect in land use planning and implementation resources at municipal, regional, and statewide levels. We endorse this proposal as an important step in reshaping and recommitting to this capacity at all levels. As we work to establish a stronger land use planning structure at the state level, we also think it is important to prioritize outcomes-based planning. To that end, we suggest the following modifications to the bill:

- Expand the language to include not just planning grants and technical assistance, but also implementation and project funding. This will create stronger support for critical local implementation projects that require state coordination across agencies and with municipalities in order to get off the ground.

- Align not just program funding, but also regulatory processes, such as MaineDOT Traffic Movement Permits, DEP Site Location of Development Review, Stormwater permits, and other state level regulatory controls to prioritize critical projects that respond to state and local goals to help advance shared goals and projects.

In addition to our smart growth policy work, GrowSmart Maine leads the Policy Committee in the Maine Broadband Coalition. We also house the Kennebec Broadband Partnership through the Maine Connectivity Authority; one of thirteen such regional and tribal partnerships developing and deploying a statewide digital equity plan.

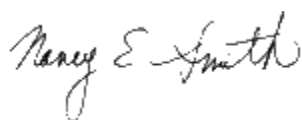
Through these connections, we recommend that the Maine Connectivity Authority be included in the list of agencies to this planning review and coordination process. The community work they lead on with LD 1934's focus on community planning capacity in two ways:

- Communities are beginning to ask for guiding language to include broadband planning in comprehensive planning.
- GrowSmart has long advocated for communities to consider what rules they will have in place so that, as they bring broadband to remote existing locations, they can ensure that new development is directed to those parts of town where the community has determined they want it. This prevents sprawling growth that adds to both municipal and household costs.
- Sprawling growth also risks creating additional demand for federal funding available to serve existing homes that are not connected to expand broadband service. Federal rules permit public funds for broadband expansion to be spent on newly constructed locations that are built beyond the reach of broadband infrastructure. Such construction reduces the federal funds available to connect existing rural homes and businesses.

Also noteworthy as the Committee considers this bill, is the newly released [NDIA State Digital Equity Plan Toolkit](#). This resource provides recommendations for building a digital equity plan that works for each community. Their outline includes many community planning steps such as robust public engagement, collaboration, SWOT analysis, and the value of a core planning team.

Broadband deployment and digital equity are most effectively accomplished when integrated in and coordinated with broader planning efforts. Many of the regional planning and development groups referenced in this resolve are also actively engaged in broadband expansion and equity work, affirming that this addition makes sense.

GrowSmart and Build Maine will assist the committee in any way that is helpful and have attached to our testimony a redline version of suggested edits to the bill.



## Resolve, To Improve the Coordination and Delivery of Planning Grants and Technical Assistance to Communities in Maine

### Sec. 1. Review of planning grants and technical assistance to communities in Maine.

**Resolved:** That the Governor's Office of Policy Innovation and the Future shall review opportunities and structural changes in state government organization and make recommendations that will result in the improved coordination and implementation of planning grants ~~and~~ technical assistance programs, ~~and implementation and project funding~~ for Maine communities and regional planning and development organizations. The review shall include the following tasks:

1. Consider the municipal planning grants, ~~and~~ technical assistance needs, ~~and implementation and project funding in~~ of communities, especially the smallest and most under resourced communities, particularly related to navigating complex challenges including, but not limited to land use planning, climate resilience and energy issues, natural resource protection, transportation, housing development, economic development, and infrastructure ~~and neighborhood ;master planning and development;~~
2. Consider state programs ~~and investments~~ that currently exist to provide municipal planning grants, ~~and~~ technical assistance, ~~and implementation and project funding~~ to communities in Maine to help them address those needs, ~~and identify gaps in services and geographic coverage~~ ~~and identify geographic areas of the state where there are gaps in funding;~~
3. Consider mechanisms to support municipalities and regional planning and development organizations in competing for ongoing competitive state and federal funding opportunities, ~~and opportunities to streamline state approvals or processes to help prioritize projects that meet critical state and local~~ goals.
4. Recommend the most effective organizational structure for state funded programs oriented to supporting local government to ensure that municipalities and regional planning and development organizations who support communities have the support they need in a coordinated, easy to access manner with fewer points of entry; and
5. Recommend the optimal organizational structure, staffing configurations, and budget implications to improve coordination and implementation of planning grants, ~~and~~ technical assistance, ~~and implementation and project funding that responds to state and local goals and priorities, and helps to advance complex projects that require multiple sources of funding and the participation of multiple state agencies.~~

**Sec. 2. Consultation:** That the Governor's Office of Policy Innovation and the Future shall consult with diverse stakeholders including representatives of municipalities, ~~and~~ regional planning and development organizations, ~~economic development organizations~~ to provide input on their needs and recommendations; and the office shall coordinate recommendations with leadership and staff from the state agencies that manage programs and grant funds ~~across state government~~ ~~or that financially invest in or regulate municipal land use economic,~~

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~~ecological and social infrastructure or have an impact on real estate in local communities, and that currently support community planning, and technical assistance, and implementation and project funding, including but not limited to~~ the Department of Agriculture, Conservation and Forestry; the Department of Community and Economic Development; the Department of Marine Resources; the Department of Transportation; the Department on Inland Fisheries and Wildlife; the Department of Environmental Protection; and the Department of Public Safety; [MaineHousing](#), [Maine Connectivity Authority](#), and the office shall coordinate with the Department of Administrative and Financial Services to consider and develop budget and staffing implications of the proposed recommendations; and be it further

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**Sec. 3. Report. Resolved:** That the Office of Policy Innovation and the Future shall submit a report including proposed legislation, financial and staffing implications to the joint standing committees of the Legislature having jurisdiction over state and local government matters and appropriations and financial affairs by December 15, 2023.

# Build Maine + GrowSmart Maine

## POLICY ACTION 2023

### Overview of Proposed Legislation

a collaboration between



**PROBLEM STATEMENT** Maine's current uncoordinated approach to building places is causing real, unintended, and significant social, environmental, financial, economic, and cultural challenges and requires the creation of a cohesive approach to land development, redevelopment, and placemaking.

**THE GOAL** of Policy Action 2023 is to address barriers to and create incentives for equitable, sustainable growth and development that strengthens downtowns and villages of all sizes while pulling development pressure away from productive and open natural areas. We do so acknowledging that Maine has urban, rural, and suburban settings for which any solution may/may not be a fit and a variety of people who deserve to be welcomed to their communities.

**FOR TALKING POINTS AND MORE:** [Public Folder for PA23](#)

Policy Action 2023 Working Group	Bill Number	Bill Title	Sponsor	Fact Sheet	Committee and Status
<b>Printed Bills (LDs):</b>					
1: Coordination of Government	<a href="#">LD 602</a>	An Act to Provide Regional Support to Deliver State and Federal Programs to Cities and Towns in the State	<a href="#">Representative Traci Gere</a>		Select on Housing
1: Coordination of Government	<a href="#">LD 1752</a>	Resolve, to Prepare Preapproved Building Types, replaces LD 250	<a href="#">Senator Matt Pouliot</a>	<a href="#">LD1752 Fact Sheet</a>	<b>Housing Tabled intention to Carry Over</b>
1: Coordination of Government	<a href="#">LD 1672</a>	An Act to Establish an Affordable Housing Permitting Process	<a href="#">Representative Traci Gere</a>	<a href="#">LD 1672 Fact Sheet</a>	Select on Housing
1: Coordination of Government	<a href="#">LD 1934</a>	"Resolve, to Improve the Coordination and Delivery of Planning Grants and Technical Assistance to Communities in Maine"	<a href="#">Representative Melanie Sachs</a>		<b>State.Local Govt: PH 5.25.23</b>
2: Rework Transportation Funding	<a href="#">LD 1559</a>	"An Act to Advance the State's Public Transit Systems by Reinvigorating the Public Transit Advisory Council and Increasing Funding"	<a href="#">Representative Maggie O'Neil</a>	<a href="#">LD 1559 Fact Sheet</a>	<b>Transportation Second WS 5.24</b>
3: Complete Streets Action	<a href="#">LD 1634</a>	"An Act to Grant Municipalities the Authority to Set Certain Lower Motor Vehicle Speed Limits without a Department of Transportation Speed Study"	<a href="#">Senator Rick Bennett</a>	<a href="#">LD 1634 Fact Sheet</a>	Transportation ONTP, DEAD
3: Complete Streets Action	<a href="#">LD 1076</a>	"An Act to Expand the Use of Traffic Cameras for School and Work Zones"	<a href="#">Senator Mattie Daughtry</a>	<a href="#">LD 1076 Fact Sheet</a>	Transportation, DEAD.
3: Complete Streets Action	<a href="#">LD 1566</a>	Resolve, to Establish the Task Force to Recommend Strategies to Achieve the Goal of Eliminating Traffic Fatalities and Serious Injuries	<a href="#">Representative Dan Ankeles</a>	<a href="#">LD 1566 Fact Sheet</a>	<b>Transportation parts of these bills moved to LD 1674, these were voted ONTP.</b>
3: Complete Streets Action	<a href="#">LD 1711</a>	An Act to Provide for Safe Roadway Construction Design Criteria	<a href="#">Representative Marc Malon</a>	<a href="#">LD 1711 Fact Sheet</a>	
3: Complete Streets Action	<a href="#">LD 1673</a>	An Act to Encourage Affordable Housing and Mixed-use Development by Establishing a Thriving Corridors Program	<a href="#">Representative Traci Gere</a>	<a href="#">LD 1673 Fact Sheet</a>	Housing WS 5.23.23
4: Growth Management Law	<a href="#">LD 1976</a>	An Act to Update the Growth Management Law	<a href="#">Representative Melanie Sachs</a>	<a href="#">LD 1976 Fact Sheet</a>	Select on Housing
5: State Historic Rehab Tax Credit	<a href="#">LD 1810</a>	An Act to Expand the Maine Historic Rehabilitation Credit	<a href="#">Representative Maureen Terry</a>	<a href="#">LD 1810 Fact Sheet</a>	Taxation PH 5.9.2023
6: Subdivision Regulations	<a href="#">LD 1257</a>	An Act to Increase Housing and Protect the Regional Road Network, Municipal Tax Base, and Working Lands	<a href="#">Representative Lydia Crafts</a>	<a href="#">LD 1257 Fact Sheet</a>	Select on Housing
6: Subdivision Regulations	<a href="#">LD 1787</a>	Resolve Directing the Department of Agriculture, Conservation and Forestry to convene a stakeholder group tasked with a Comprehensive overhaul and modernization of the State Subdivision Statutes	<a href="#">Representative Jack Ducharme</a>	<a href="#">LD 1787 Fact Sheet</a>	Housing WS 5.16.23 Tabled
7: Downtown Revitalization / Open Space protection	<a href="#">LD 638</a>	NOTE: Sponsor has decided to withdraw the bill and create a stakeholder group to meet between sessions. Goal is property tax policies to incentivize redevelopment of derelict buildings.	<a href="#">Representative Marc Malon</a>	Bill was withdrawn, No Fact Sheet	Bill Withdrawn
7: Downtown Revitalization / Open Space protection	<a href="#">LD 1864</a>	An Act To Increase Maine's Housing Supply, Combat Climate Change, and Preserve Rural Open Spaces by Prohibiting Communities from Large Lot Zoning Practices in Areas Where Public Sewer and Water Infrastructure are Available	<a href="#">Representative Jim Boyle</a>	<a href="#">LD 1864 Fact Sheet</a>	<b>Housing PH 5.19.23</b>
8: Decarbonization of Buildings	<a href="#">LD 1101</a>	An Act to Support Lower Home Energy Costs by Establishing a Home Energy Scoring System	<a href="#">Representative Rebecca Millett</a>	<a href="#">LD 1101 Fact Sheet</a>	EUT, Divided Report Majority OTP-a